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UNCLAS SECTION 01 OF 02 RANGOON 001250

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SUBJECT: REGIME FEEDS ON ITS OWN

REF: RANGOON 602

1. (SBU) Summary: On September 26, the regime sentenced ex-dictator General Ne Win's son-in-law and three grandsons to death by hanging for attempted treason. The son-in-law, one of the grandsons, and some business associates were also sentenced to varying lengths of hard labor for economic crimes. The verdicts culminate highly publicized trials that began in early May. A lack of hard evidence did not appear to hinder the court, and most believe the attack on the Ne Win family was orchestrated to quash any doubts about Senior General Than Shwe's ultimate authority in Burma. Most observers believe the Senior General will now step in to commute the death sentences, balancing his display of strength with one of compassion. However, there is the possibility that the four will indeed be hanged. The general public views the whole affair as a power play between the elite, with little or no bearing on their daily lives. End Summary.

Guilty On All Counts...

2. (SBU) The State Peace and Development Council (SPDC) handed down death sentences for high treason to the son-in-law and three grandsons of ex-strongman General Ne Win in a hearing on September 26. Culminating trials that began in early May (reftel), the hearing, which was open to family members, journalists, and diplomats, lasted from early morning into the evening as the judges summarized evidence that the four men had conspired to overthrow the government and illegally imported cars and cellular telephones. The first phase of the hearing summarized evidence of economic crimes by grandson Kyaw Ne Win, a locally renowned gang leader and thug, son-in-law Aye Zaw Win, and a handful of their local business partners. For these crimes, Kyaw Ne Win received 49 years of hard labor, while the others received lesser sentences of hard labor.

3. (SBU) The second phase of the trial listed evidence of high treason against the grandsons and son-in-law, focusing primarily on the testimony of a military officer, a letter from the son-in-law to the court appealing for mercy (which was interpreted as an admission of guilt), and items seized from the houses and businesses of the four such as radios, flashlights, and guard uniforms. Although the evidence appeared weak, the judge sentenced the four to death by hanging for attempting to seize State power and life imprisonment for enticing the military to betray the State. (Note: We have been told that, bizarrely, in verdicts entailing death and life imprisonment, the hangman's rope is removed from the corpse and kept in prison to serve the life sentence after the execution. End Note.)

4. (SBU) Although family members in attendance cried as the verdicts were announced the four defendants appeared resigned to their fate. When told they had seven days to file an appeal, the father brusquely stated, "if the State wants to kill us, we will not fight it," and the boys nodded their agreement. It is up to the Supreme Court to set the date and time of the executions. The wife and mother of the defendants, Ne Win's formerly powerful daughter Sanda Win, is reportedly still under house arrest with the ex-strongman at the family's lakeside compound. We have no information yet on how she or Ne Win reacted to the verdicts.

5. (SBU) Comment: The verdicts have generated only mild public interest in Burma. While there is no love lost for the Ne Win clan, most average Burmese see the trial and verdicts as the end of a struggle among the elite, which will have little or no effect on their lives. With economic conditions continuing to spiral downward and prices skyrocketing, most citizens are focusing on their next meal rather than the travails of the power elite. Among our contacts, most do not believe the regime will carry out the death sentences. The arrest and trial of the family members have already demonstrated the regime's power and its intolerance of dissent, even among those previously considered "untouchables." In this view, the Senior General could now demonstrate his compassion by commuting the death sentences and leaving the four to serve life sentences. A minority view is that with the publicity attached to the public trial and verdicts, the Senior General must let the sentences stand to demonstrate that the military is resolute

in its undertakings. End Comment.
Martinez